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Attorneys for Plaintiff
BROOKE WASHINGTON, AN INCOMPETENT,
BY KIM WASHINGTON, HER GUARDIAN AD
LITEM

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BROOKE WASHINGTON, an
incompetent, BY KIM WASHINGTON,
HER GUARDIAN AD LITEM,

Plaintiff,

v.

SAN FRANCISCO UNIFIED SCHOOL
DISTRICT, GALILEO HIGH SCHOOL,
PAUL ROBERTSON in his capacity as
Dean for Galileo High School and
individually, MATTHEW MOORE, in his
capacity as Galileo High School employee,
LORETTA CALENDAR, in her capacity
as Galileo High School employee, and
individually, ANDREW BYNUM, in his
capacity as Galileo High School student
and employee, and DOES 1 - 10,

Defendants.

CASE NO.: C 05-01160 SBA
STIPULATION AND ORDER

Stipulation

Plaintiff Brooke Washington, through her attorneys of record, Gregory C. Simonian, Esq., of
Clapp, Moroney, Bellagamba and Vucinich, and defendants San Francisco Unified School District,
Paul Robertson, Matthew Moore, and Loretta Calendar (hereinafter collectively referred to as
Defendants), through their attorneys of record, Ellen Shapiro, Esq., Deputy City Attorney and Dennis

1 J. Herrera, Esq., City Attorney, hereby stipulate as follows:

- 2 1. Plaintiff agrees to dismiss with prejudice the Eighth Cause Of Action (42 U.S.C. §
3 1983 - Denial of Liberty Interest) in the First Amended Complaint;
- 4 2. Plaintiff agrees to dismiss with prejudice the Ninth Cause Of Action (Violation of
5 Title II of the Americans With Disabilities Act, 42 U.S.C. § 12131 et seq.) in the First
6 Amended Complaint;
- 7 3. Plaintiff agrees to dismiss with prejudice the Tenth Cause Of Action (Violation of
8 Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.) in the First Amended Complaint;
- 9 4. Each party agrees to bear their costs and attorney fees associated with the Eighth,
10 Ninth, and Tenth Causes of Action in the First Amended Complaint;
- 11 5. Defendants agree to waive any claims of malicious prosecution and abuse of process
12 against plaintiff related to the Eighth, Ninth, and Tenth Causes of Action in the First
13 Amended Complaint;
- 14 6. Defendants agree not to assert any statute of limitations defense that did not exist
15 before the filing of the original complaint for damages in the Superior Court of
16 California, County of San Francisco on December 23, 2004.

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IT IS SO STIPULATED.

Clapp, Moroney, Bellagamba and Vucinich

Dennis J. Herrera, City Attorney

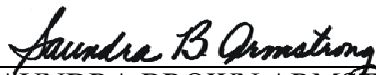
Ellen Shapiro, Deputy City Attorney, for
defendants San Francisco Unified School
District, Paul Robertson, Matthew Moore, and
Loretta Calendar

Order

The parties having stipulated, the Court hereby orders that the Eighth, Ninth, and Tenth Causes of Action in the First Amended Complaint are dismissed with prejudice, with each party to bear their respective fees and costs associated with these causes of action. This Court declines to exercise supplemental jurisdiction of the remaining state claims and remands this action to the Superior Court of California, County of San Francisco.

IT IS SO ORDERED.

Dated: October 5, 2005


SAUNDRA BROWN ARMSTRONG
United States District Judge